

Lynch

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
NICOLE IMBEAULT, ON BEHALF OF HERSELF,  
ALL OTHERS SIMILARLY SITUATED, AND THE  
PROPOSED NEW YORK RULE 23 CLASS,

Case Number: 08 CV 5458 (GEL)

Plaintiffs,

-against-

RICK'S CABARET INTERNATIONAL INC., and  
RCI ENTERTAINMENT (NEW YORK) INC.,

Defendants.

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STIPULATION

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| USDC SDNY            |
| DOCUMENT             |
| ELECTRONICALLY FILED |
| DOC #:               |
| DATE FILED: 8/19/08  |

**IT IS HEREBY STIPULATED AND AGREED**, by and between the attorneys for plaintiff, NICOLE IMBEAULT, ON BEHALF OF HERSELF, ALL OTHERS SIMILARLY SITUATED, AND THE PROPOSED NEW YORK RULE 23 CLASS, ("Plaintiffs") and defendants, RICK'S CABARET INTERNATIONAL INC., and RCI ENTERTAINMENT (NEW YORK) INC. ("Defendants"):

1. Plaintiffs shall serve an amended complaint in the instant action (the "Amended Complaint") on or before August 18, 2008;
2. Defendants shall answer or otherwise respond to the Amended Complaint twenty (20) days after service of the Amended Complaint;
3. Defendants shall have no obligation to serve an answer or otherwise respond to Plaintiffs' complaint in the instant action (the "Complaint"); and

4. This Stipulation may be signed in multiple counterparts, and by facsimile or .pdf scan, each of which when so executed and delivered shall be deemed an original, but all of which when taken together shall constitute but one and the same instrument.

Dated: New York, New York  
August 8, 2008

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SO ORDERED  
*Gerard E. Lynch*  
GERARD E. LYNCH, U.S.D.J.

8/19/08